2015 REAL PROPERTY NOTICE OF DETERMINATION

Received
County Adminstration
7/15/2018

Kristy McFarland
Gunnison County Assessor
221 N Wisconsin St, Suite A
Gunnison, CO 81230

Date of Notice: June 30, 2015
Phone: (970) 641-1085
Fax: (970) 641-7920
Email: assessor@gunnisoncounty.org
Website: http://www.gunnisoncounty.org/assessor.html

CBOE # 45

ACCOUNT NUMBER	TAX YEAR	TAX AREA	PARCEL NUMBER
R010901	2015	601	3787-100-14-003

PROPERTY OWNER	LEGAL DESCRIPTION
HAUSLER GARY W LIVING TRUST PO BOX 681 GUNNISON, CO 81230-0681	UNIT 3 BLDG B TOMICHI CONDOS #615221

PROPERTY CLASSIFICATION	PROPERTY OWNER'S ESTIMATE OF VALUE	ASSESSOR'S VALUATION	
		ACTUAL VALUE PRIOR TO REVIEW	ACTUAL VALUE AFTER REVIEW
Residential		380,830	348,960
TOTALS		$380,830	$348,960

The Assessor has carefully studied all the available information, giving particular attention to the specifics included on your protest. The Assessor's determination of value after review is based on the following:

The actual value of the property is determined by appropriate consideration of the approaches to appraisal set forth in § 39-1-103(5)(a), C.R.S.

If you disagree with the Assessor's decision, you have the right to appeal to the County Board of Equalization for further consideration, § 39-8-106(1)(a), C.R.S.

The deadline for filing real property appeals is July 15.
The deadline for filing personal property appeals is July 20.

The Assessor establishes property values. The local taxing authorities (county, school district, city, fire protection, and other special districts) set mill levies. The mill levy requested by each taxing authority is based on a projected budget and the property tax revenue required to adequately fund the services it provides to its taxpayers. The local taxing authorities hold budget hearings in the fall. If you are concerned about mill levies, we recommend that you attend these budget hearings. Please refer to last year's tax bill or ask your Assessor for a listing of the local taxing authorities.

Please refer to the reverse side of this notice for additional information.

APPEAL PROCEDURES

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County Board of Equalization Hearings will be held from July 1 through August 5 at Gunnison County Courthouse or Blackstock Government Center.

To appeal the Assessor's decision, complete the Petition to the County Board of Equalization shown below, and mail or deliver a copy of both sides of this form to:

Gunnison County Board of Equalization
200 E Virginia Ave
Gunnison, CO 81230
(970) 641-0248

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To preserve your appeal rights, your Petition to the County Board of Equalization must be postmarked or delivered on or before **July 15 for real property** and on or before **July 20 for personal property** – after such date, your right to appeal is lost. You may be required to prove that you filed a timely appeal; therefore, we recommend that all correspondence be mailed with proof of mailing.

You will be notified of the date and time scheduled for your hearing. The County Board of Equalization must mail a written decision to you within five business days following the date of the decision. The County Board of Equalization must conclude hearings and render decisions by August 5, § 39-8-107(2), C.R.S. If you do not receive a decision from the County Board of Equalization and you wish to continue your appeal, you must file an appeal with the Board of Assessment Appeals by September 12, § 39-2-125(1)(e), C.R.S.

If you are dissatisfied with the County Board of Equalization's decision and you wish to continue your appeal, you must appeal within 30 days of the date of the County Board's written decision to ONE of the following:

Board of Assessment Appeals
1313 Sherman Street, Room 315
Denver, CO 80203
(303) 866-5880
www.dola.colorado.gov/baa

District Court
Contact the District Court in the county where the property is located. See your local phone book for the address and telephone number.

Binding Arbitration
For a list of arbitrators, contact the County Commissioners at the address listed for the County Board of Equalization.

If the date for filing any report, schedule, claim, tax return, statement, remittance, or other document falls upon a Saturday, Sunday, or legal holiday, it shall be deemed to have been timely filed if filed on the next business day, § 39-1-120(3), C.R.S.

PETITION TO COUNTY BOARD OF EQUALIZATION

What is your estimate of the property's value as of June 30, 2014? (Your opinion of value in terms of a specific dollar amount is required for real property pursuant to § 39-8-106(1.5), C.R.S.)

$ 294,145

What is the basis for your estimate of value or your reason for requesting a review? (Please attach additional sheets as necessary and any supporting documentation, i.e., comparable sales, rent roll, original installed cost, appraisal, etc.)

Based on analysis by Stephen Ruffe attached

ATTESTATION

I, the undersigned owner or agent* of the property identified above, affirm that the statements contained herein and on any attachments hereto are true and complete.

Signature	Telephone Number	Date
	970-209-9515	7/15/15

*Attach letter of authorization signed by property owner.

lostminer@gunnison.cc

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EXHIBIT A
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May 15, 2015

Kristy McFarland
Gunnison County Assessor
221 N. Wisconsin St., Suite A
Gunnison, CO 81230-2433

assessor@gunnisoncounty.org

RE: 2015 REAL PROPERTY NOTICE OF VALUATION
Account Number: R010903; RUFFE
Parcel Number: 3787-100-14-005
Legal Description: Unit 5 Bldg C Tomichi Condominiums B682 P718 B694 P925 #481839
Property Classification: Residential

Dear Mrs. McFarland:

I am in receipt of the 2015 Real Property Notice of Valuation dated May 1, 2015. I wish at this time to exercise my right and appeal the valuation of this property. I am including my estimate of property value as of June 30, 2014, and additional documentation that I believe supports a change in the valuation of my property.

In consideration, the value of residential property is based on the ***market approach to value.*** The appraisal data used to establish value is from the **18-month period ending June 30, 2014, §39-1-104(10.2)(a), C.R.S.** Since there are no comparable sales of the Tomichi Condominium Units during the time period from the 18-month period of January 1, 2013 to June 30, 2014, insufficient data exists. If insufficient data existed during the 18-month data gathering period, data from each preceding six-month period (up to a period of five years preceding June 30, 2014) may be utilized, §39-104(10.2)(d),C.R.S. Therefore I have gathered information from your data utilizing your website: http://www.gunnisoncounty.org/assessor.html. I have gathered the information from the five years preceding June 30, 2015; thus July 1, 2009 to June 30, 2014.

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Tomichi Condominium Association properties are unique and independent of any other properties located in Gunnison, County. They exist independent of any other building structures, style and design as well as location anywhere in the county. Since we have five duplex units thereby equating to 10 individual units they in fact would constitute like and equal properties in comparable appraisals. They therefore should not be compared to other condominium units in the county and should be valued on their own due to the location within the county and their like building structures.

Taking data from your website there were no sales thus representing the actual market approach to value from the 18-month period prior to June 30, 2014. Utilizing data gathered from the website there were five (5) sales during the time period July 01, 2009 to June 30, 2014 thus establishing the ***market approach to value*** during the five (5) year period since insufficient data existed prior. Those sales are listed below.

Account Number	Sale Date	Sale Price	Square Feet	Price/Sq Ft
R070973	2012-10-10	$ 220,500	1734	$ 127.16
R010901	2012-08-31	$ 270,000	2371	$ 113.88
R010908	2010-09-27	$ 318,000	2371	$ 134.12
R010908	2009-11-23	$ 650,000	3180	$ 204.40
R010901	2009-07-16	$ 347,000	2371	$ 146.35
		$ 1,805,500	12027	$ 725.91/5 = $145.19

$ 1,805.500/ 12027 ft^2 = $ 150.12 ft^2
Therefore $ 150.12 ft^2 + $ 145.19 ft^2 = $ 295.31/2 = **$ 147.66ft^2**

I am aware of the time adjusted sale price analysis that has been calculated. If one goes to the 2015 Reappraisal – Condominium Sales in Economic Area 1 (City of Gunnison & Vicinity); Sales Study Period: July 1, 2011 – June 30, 2014 you find the following:

Account	Sale Date	Sale Price	Time Adjusted	TASP/FT^2
R070973	2012-10-10	$ 220,500	$ 297,405	$ 172.00
R010901	2012-08-31	$ 270,000	$ 373,491	$ 158.00
		$ 490,500	$ 670,896	$ 330.00/2 = $165.00

On R070973 that is an increase of 35% and on R010901 that is an increase of 38.33%. I don't feel one can arbitrarily adjust the actual sales if one is to base the appraisals on the ***actual market approach to value*** these values hold no value in the reappraisal process. The Tomichi Condominium units sold for what value they did on the dates they did. They did not in fact sell for the inflated values as indicated by the Reappraisal – Condominium Sales in Economic Area 1. This would be equating this to "Blue Sky Sales" and is not in fact what ACTUALLY took place thereby establishing the ***actual market approach to value.***

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At the current valuation on my particular unit R010903 you have the Current Year Actual Value as of June 30, 2014 at $380,830; and increase of $ 151,640 over the Prior Year Actual Value as of June 30, 2012 which is an increase of 66.17%. I do not believe the sales figures at Tomichi Condominium support this increase. If you look at the actuality of the market sales approach unit R070973 sales price was $220,500 over the 2014 Actual Value of $171,670 which is an increase of 28.45% not 66.17%. Unit R010901 actual sales price was $ 270,000 which reflects an actual increase of $ 40,810 over the 2014 actual value which equates to a 17.81% increase not 66.17%. Unit R010908 which actual sales figures show as $ 318,000 is an actual increase of $ 88,810 over the 2014 Actual Value of $ 229,190 or an increase of 38.75% not 66.17%. The Tomichi Condominium units did not actually sell at an increase of 66.17% over the 2014 Actual Value. On an average of these three sales the actual percentage increase in actual Sale amount over the Actual Value is an increase of 28.34%, not and inflated 66.17%. Despite what one may speculate that the actual sales may be, and that is what one is doing if one is to raise the valuation of these properties by 64.729% to 66.164%. This is not what has occurred and until it actually would happen by actual market sales, I do not feel the valuations of the Tomichi Condominium Units can have their valuations increased those percentages.

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Since there are actual sales figures to support the average increase of 28.34% and in accordance with , §39-104(10.2)(d),C.R.S. I would ask that consideration be given to the documentation provided; that the actual value of this property be adjusted accordingly to correctly reflect the actual market value as of June 30, 2014. By imposing the actual market value analysis this would place unit owners as follows:

R070973, R031031, and **R010900** with an increase of the actual reflected percentage of 28.34% on Actual Sales vs. Actual Value at $220,320. This however does not reflect that there is an actual sales on unit R010900 in the actual amount of $220,500 and thereby ask that in accordance with, §39-104(10.2)(d),C.R.S. the values of these three units be revalued at the valuation of **$ 220,500** not $283,750. This would be a fair valuation as it is an increase of 28.44% closer to the actual reality of what has occurred, not an increase of 65.288% as currently valued.

R010909, R010908, R030665, R010903, and **R010901** with an increase of the actual reflected percentage of 28.34% on Actual Sales vs. Actual Value would place these units at an Actual Value of **$294,145** not $ 380,830 which is the increase of $ 151,640 or 66.16%.

R010905 is currently valued at $ 483,890 which is an increase of $190,140 or 64.729%. Since this unit is the only unit of 3053ft^2 it has had no sales data since it last sold on February 21, 2007. To keep this unit in line to reflect actual sales data and be in compliance with §39-104(10.2)(d),C.R.S., this unit would be valued at **$ 377,000** not at $483,890 which would be an increase of 64.729%

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R010899 is currently valued at $502,060 which is an increase of $ 196,520 or 64.319%. This unit was last sold on November 23, 2009 which is in the scope of the five (5) year period, (up to a period of five years preceding June 30, 2014) may be utilized, §39-104(10.2)(d),C.R.S. This unit actually sold at a sales price of $650,000 which would be an increase of 112.74% if valued at its sales price. Currently it is valued at $502,060 which is an increase of $196,520 or 64.319%. This unit is the largest unit in Tomichi Condominium Associations HOA at 3,180ft^2. If one were to use the valuation of 28.34% increase over the 2014 Actual Value, that would place this unit at **$ 392,130**. This would be an increase of the 2014 Actual Value and in line with the other nine (9) units but would be a decrease of 39.67% of the actual sales price, a decrease of 21.90% from the current 2015 Actual Value. You presently have the actual value at a decrease of 22.76% from the actual sales price of $650,000 that was sold on November 23, 2009.

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Therefore, I have attempted to establish these valuation based on the statement from the Real Property Notice of Valuation and the website that every reappraisal, we disregard the old valuations and start from scratch using an entirely new sales list. In other words, we are not allowed to adjust values up or down by a percentage, but instead have to analyze sales from a specific study period. In the case of the 2015 reappraisal, transactions that occurred between July 1, 2009 and June 30, 2014 were used for analysis. We cannot consider sales or market influences that occurred after June 30, 2014.

I hereby appeal my 2015 Real Property Notice of Valuation and estimate the property value as of June 30, 2014 at $ 294,145. The basis on this estimate of value is in compliance with Colorado Revised Statutes as previously mentioned. This is based on the comparable sales unique to Tomichi Condominium Association as there are no other units in Gunnison County which exist that pertain to the location, the architectural standards, or Homeowners Association By-Laws, Rules or Regulations.

Thank you in advance for your consideration, time and effort in the re-evaluation of this account R010903; for the 2015 Tax Year, Parcel Number 3787-100-14-005, Unit 5 Bldg C Tomichi Condominium. Please contact us either by mail, phone, or e-mail if you have any questions or need any further explanation about how we established value on the property which we feel is more equitable and true to the actual market approach to value.

For Contact:
Best address: Stephen Ruffe; P O Box 868; Gunnison, CO 81230-0868
Best Phone: (970) 641-1306
Best e-mail: zipadeeeh@gmail.com

Respectfully,

Susan Ruffe

Gunnison County
COLORADO

Gunnison County Administration
Phone: (970) 641–0248 • Fax: (970) 641–3061
www.GunnisonCounty.org

July 17, 2015

CBOE #45
Gary Hausler Living Trust
PO Box 681
Gunnison, CO 81230
lostminer@gunnison.cc

Schedule Number: R010901
Parcel Number: 3787-100-14-003
Property Description: UNIT 3 BLDG B TOMICHI CONDOS #615221

Dear Property Owner,

The Gunnison County Board of Equalization will hear your petition of protest on the valuation for assessment of your property on Wednesday July 29, 2015 at 9:30 am. The hearing will be held in the Board of County Commissioners meeting room, located in the Courthouse at 200 E. Virginia Ave. Gunnison, CO 81230. Please read the following information carefully.

You may appear before the Board in person, via telephone conference call, appear with your representative, or have your representative appear on your behalf. **If you plan to be represented by someone other than yourself at your hearing, please submit a letter of agency signed by you** to Bre Shelton by email at bshelton@gunnisoncounty.org, or by fax at 970-641-3061. **Please contact Bre prior to the hearing date to make a special request for a phone conference, if needed.**

1. You may submit your case in written form and waive a personal appearance before the Board. If your information is submitted in this manner, the Board will make a determination after reviewing the petition, any written evidence that has been provided, and after allowing the Assessor to give testimony and submit exhibits.

2. Upon your written request to the Assessor's Office at 221 N Wisconsin Street, Gunnison Colorado 81230, phone number 970-641-1085, the Assessor is required to make available to you, three (3) working days after receiving the request, all data supporting the valuation. Your request must be accompanied by your information supporting your valuation. This disclosure does not prohibit the introduction of additional data at the hearing discovered as a result of the exchange of the information.

3. Please provide one copy of the documentation that you plan to submit at the hearing, AND any documentation that has been provided to the Assessor's Office, by 8:00 am, two (2) business days prior to the hearing date of Wednesday July 29, 2015 to permit the exhibits to be presented to the Board. Please bring, or have delivered, such documentation to the County Administration Office located at 200 E. Virginia Avenue, Gunnison, Colorado. This documentation may also be faxed to 970-641-3061, or email to bshelton@gunnisoncounty.org. **If you must bring additional documentation to the hearing, please bring five (5) copies of each document.**

4. Because of the volume of cases before the Board of Equalization, all hearings scheduled are final and cannot be rescheduled. Hearings will go before the board in your absence. The Board will carefully consider all data submitted. If you cannot attend the hearing scheduled for you above, please contact Bre Shelton at 970-641-7600.

Sincerely,

Bre Shelton
Clerk to the Board of Equalization

Gunnison County
COLORADO

200 East Virginia Avenue
Gunnison, CO 81230

U.S. POSTAGE PITNEY BOWES
ZIP 81230 $ 000.48[5]
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Gary Hausler
PO BOX 681
Gunnison, CO 81230